

REMARKS

The Office Action mailed December 30, 2003 has been reviewed and carefully considered. Claims 1-6 remain pending in this application, of which the independent claims are 1 and 3. Claims 1 and 3 have been amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-6 stand rejected under 35 U.S.C. 103 as unpatentable over U.S. Patent 6,278,887 to Son et al. ("Son") in view of U.S. Patent 6,332,074 to Spitaletta et al. ("Spitaletta"). As mentioned in connection with the each of the two previous Office Actions, the patent number of the latter reference is misidentified in the Office Action, but the applicant presumes that the patent number supplied hereinabove is the intended one.

Claim 1 as amended recites:

"checking whether a user of said telephone activates said SEND key to place a call from said telephone; and
deactivating the power supplied to the display in response to said call being placed from said telephone due to said activation of said SEND key."

Support for the amendment of claim 1 is found in claim 1 as originally filed.

Son checks whether any key is activated for any purpose, but does not check

“whether a user of said telephone activates said SEND key to place a call from said telephone” as explicitly required by the language of present invention as recited in claim 1. Moreover, Son fails to disclose deactivation of the power supplied to the display “in response to said call being placed from said telephone due to said activation of said SEND key.” Son, instead, deactivates the power in the absence of activation of any key or upon acceptance of a call by the user. Nowhere does Son disclose or suggest deactivation of the power to the display of a telephone in response to initiating or placing a call from that telephone. In fact, failure of the Son reference to disclose power deactivation in a phone in response to placing a call by means of the phone suggests the non obviousness of this inventive aspect recited in applicant’s claim 1 as amended.

Item 2 of the Office Action suggests that Son teaches “checking whether a user of the telephone activates the answer key to originate a call from the telephone, in response to an incoming call (col. 7 lines 38-41, 49-53).”

The cited passages in Son, however, merely describe what happens when a user of a telephone answers a phone call. There is no discussion whatsoever in these cited passages of that user placing a phone call from that telephone.

Spitaletta discloses a phone having a SEND KEY, but likewise fails to disclose or suggest deactivating the telephone’s display power in response to a call being placed from that telephone. Spitaletta accordingly fails to make up for the deficiencies in Son.

Claim 1 is therefore believed to be patentable over the cited references for at least these reasons.

Item 2 of the Office Action cites as motivation for modifying Son in view of Spitaletta, "in order to conserve energy and save power." Since item 2 earlier cites Son as teaching "a battery saving method" it is unclear how Spitaletta improves upon or enhances Son to result in a combination that conserves even more energy or saves even more power.

For at least all of the above reasons, the purported combination of prior art references fails to render obvious the invention as recited in claim 1.

Claim 3 as amended similarly requires:

(a) determining whether an originating party has used said telephone to request a call connection to place a call to a terminating party; and

(b) deactivating the power supplied to the display based on a determination in step (a) that the originating party has requested said call connection to the terminating party."

According to item 2 of the Office Action, claim 3 is seemingly being rejected based on the same arguments applied to claim 1, which are traversed by the applicant by at least the same reasoning set forth above regarding claim 1.

At least for the same reasons as set forth above regarding claim 1, claim 3 is not

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rendered obvious by the applied combination of references.

Each of the other rejected claims in this application are dependent from independent claims 1 or 3 discussed above and are therefore likewise deemed to be patentable for at least the same reasons, although each warrants further consideration based on its individual merits.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

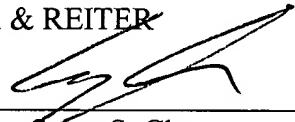
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In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470. If the Examiner has any questions regarding this Application, it is respectfully requested that the Applicants' attorney of record be contacted at the below-noted telephone number.

Respectfully submitted,

CHA & REITER


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Date:

3/29/04

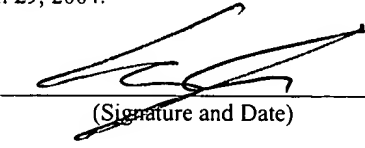
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